

## 2018 Williston Development Bylaw Revisions- List of All Changes

### Table of Contents

Entire TOC Expand TOC to include sections of each chapter with internal page numbers. This would also guide the reader more efficiently through the document. (to be done following adoption when page numbers are set)

### Chapter 1- Authorities Purposes Basic Principles

1.5 Add disclaimer of liability

### Chapter 2- Vested Rights, Nonconforming Lots, Uses, and Structures

2.6.4 Add a cross-reference to specific language about the treatment of nonconforming structures in the lake Iroquois Shoreline Protection Area

### Chapter 3- Actors in the Administration of this Bylaw

No Changes

### Chapter 4- Permits and Exemptions

4.1.5 Add reference to GZDW as a district subject to design review.

4.1.7 Add specific language about when a change in use requires a permit, reference existing change of use definition in WDB 46.

4.2 Update reference to exempt Required Agricultural practices. (used to be “accepted” agricultural practices.

4.4 Add language for other permits that may be required, including Flight Paths and FAA jurisdiction- sample language provided by Burlington airport

### Chapter 5- Administrative Permit Procedures

No Changes

### Chapter 6- Discretionary Permit Procedures

No Changes

### Chapter 7- Enforcement

7.4.3 Update fine language to \$200/day in alignment with statute.

7.4 Add non-regulatory “explainer box” language explaining how to make zoning complaints and how the enforcement process will work. This could be in a “box” (non-regulatory).

### Chapter 8- Variances and Amendments

No Changes

### Chapter 9- Specific Plans

9.1.1 Update reference to 2016-2024 Town Plan and delete 2006 Town Plan excerpt.

9.2.2.1 Update reference from open Space Plan to Chapter 13 of the 2016-2024 Town Plan

9.2.2.3 Update reference to 2016-2024 Town Plan.

9.2.2.4 Update reference to 2016-2024 Town Plan

9.2.2.6 Correct spelling of “specific.”

## **Chapter 10- Boundary Adjustments**

No Changes

## **Chapter 11- Growth Management**

11.3.3 Misnumbered as 11.3.2- correct numbering to begin with 11.3.3

11.7.1 Update reference to 2016-2024 Town Plan Policy re: energy efficiency

## **Chapter 12- Subdivisions Final Plans**

12.3.2 Update Sample Approval Signature Block

12.2.2 Note that all subdivisions should be prepared for the signature of the presiding member of the Development Review Board.

Remove reference to “minor subdivision.”

## **Chapter 13- Access- Connectivity Traffic Studies**

13.1.3 Reference “letter of intent” requirement by Vermont Agency of Transportation for proposed accesses to state highways.

## **Chapter 14- Parking**

14.2 Add language allowing EV charging spaces to be a portion of required spaces up to 5%.

14.2.4.1 Update reference to the 2016-2024 Town Plan

14.2.4.3 allow carpool spaces, EV spaces, etc. to be counted as part of required parking.

14.A Remove word “DRAFT” from table 14.A

14.B Increase number of parking spaces generating ADA requirements in line with federal requirements.

14.4.1 There is a conflict between minimum backup distance and minimum aisle width. Make minimum aisle width 24 feet for consistency with backup distance requirement.

14.D Fix the end-of trip table 14.D “4-18” should be “4-17” and “17-30” should be “18-30.”

## **Chapter 15- On Site Infrastructure**

15.1.4.2 Update reference to Map 11 and Map 17 in the 2016-2024 Williston Comprehensive Plan

## **Chapter 16- Maintenance**

No Changes

## **Chapter 17- Accessory Uses and Structures**

17.2.3 Refers to accessory as a percentage of the building, which does not anticipate multi-tenant and buildings. Add “or the tenancy of a multi-tenant building.” Add reference to 17.3.3

17.3.3

17.3.2 Remove unenforceable provision regarding advertising food services to the public.

17.3.3 Create provision expanding accessory sales of food and drink for food and drink manufacturers only: 30% of tenancy not to exceed 2,000 square feet with a contiguous outdoor seating area not to exceed 500 square feet.

17.4 Williston does not allow an accessory structure to be built without a primary structure but occasionally gets requests to build a “shed” on an otherwise undeveloped piece of residential land. Make it clear that accessory structures must be accessory to a primary structure.

## **Chapter 18- Compatibility- Potential Hazards Potential Nuisances**

Table 18.A Correct “Medium Density Residential” to “Residential” zoning district and add Gateway West zoning district.

## **Chapter 19- Density – Transfer of Development Rights**

19.1.3 Add cross reference to “dwelling unit equivalent” (DUe) standard as discussed already in WDB 11.  
19.2 Update references to 2016-2024 Town plan.  
19.2.1  
19.A Reference allowed residential density incentive with 30% affordable housing in the RZD. Update “DU” to “DUe.”  
19.4 Add GZDW to discussion of mixed-use densities.  
19.B Update table to reference DUe and GZDW. Correct allowance of TDR density in BPZD.

## **Chapter 20- Residential Improvements**

20.1 Remove outdated reference to prior town plan.  
20.1.3.1 Change to allow the owner to live in either the primary or the accessory unit.  
20.4 Remove requirement for DRB review of ALL home businesses in tow-or-more- family homes. Require DRB review of proposed home businesses in a two or multi-family building that involve overnight parking of large work vehicles.  
20.10.2.1 Exempt female poultry from the one-acre minimum lot size requirement for keeping livestock on a residential lot. Require structures for female poultry to meet minimum setbacks for structures in the RZD and VZD.  
20.10.2.2 include female poultry in general requirements related to dust, noise, and odor.  
20.12 Discussion of Home business refers to Appendix “F”, should be “G.” Change “F” to “G”  
Outdoor Storage  
20.12 Use of word “within” to describe relationship of outdoor storage to setbacks is problematic. Use clearer language, determine whether storage has to meet setbacks on residential properties- use of “within” in the woodpile language seems to suggest storage could be on the property line in some cases.

## **Chapter 21- Telecommunications Facilities**

No Changes

## **Chapter 22- Design Review**

No Changes

## **Chapter 23- Landscaping**

23.1.4 There has been recent confusion and a court case about how side and front yard setbacks apply to new development. Add descriptive language and an illustration showing how side rear and front setbacks are applied

## **Chapter 24- Outdoor Lighting**

No Changes

## **Chapter 25- Signs**

25.1.2.2 Revise the substitution clause. “The owner of any sign which is otherwise allowed by this sign ordinance may substitute noncommercial copy in lieu of any other commercial or non-commercial

- copy. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message. This provision prevails over any more specific provision to the contrary.”
- 25.3.2.3 Add clarification that LED reader boards are considered “internally illuminated” and are prohibited in Williston.
  - 25.5.5 Make it clearer which standards can be adjusted or waived under an approved master Sign Plan. Add clarification that internal illumination cannot be approved as part of a Master Sign Plan.
  - 25.10.3 Allow for temporary “information centers” at active, permitted construction sites.

### **Chapter 26- Street Trees**

No Changes

### **Chapter 27 - Conservation Areas**

- 27.4.2 Change reference to Chapter 16 for transfer of development rights to Chapter 19
- 27.4.3 Change referenced section in Chapter 31 to WDB 31.7.6
- 27.5.7.1 Remove “explainer” box with outdated link to VT Fish and Wildlife.
- 27.5.6.4 Include “Alternative Energy” title language in discussion of alternative energy installations not subject to Chapter 27.

### **Chapter 28 - Special Flood Hazard Areas**

- 28.3.1.1 Change the reference to the “Regional Floodplain Manager”

### **Chapter 29 - Watershed Health**

- 29.1.2 Update the reference to the VANR General Permit and the date last amended.
- 29.3.2.1 Update the link for the Low Risk Site Handbook for Erosion Prevention and Erosion Control.
- 29.5.14.2 Update the link under Additional Resources for Low Impact Design
- 29.8.3 Update links in info box about federal watershed protection rules

### **Chapter 30- Official Zoning Map**

- 30.2.1 Update to reference most current tax map (2014) parcel boundaries.
- 30.3.1 Note that uses not listed as permitted are expressly prohibited.

### **Chapter 31- Agricultural Rural Residential Zoning District**

- 31.1.2 Update reference to 2016-2024 Town Plan and Open Space chapter.
- 31.1.3.5 Reference further chapter language on adaptive reuse of historic barns.
- 31.7.2.6 Added a statement that unless no other suitable lands area is available, creation of a building lot on 15%-19% slopes is not allowed.
- 31.7.3 Added guiding language to help the DRB determine if protected open space is “contiguous” as required by this chapter.
- 31.7.7 Require protected open space to be platted as a separate lot.
- 31.9.1 Changed the wording from “proper sewage disposal” to “adequate wastewater treatment” and stated that can be achieved through either onsite septic or community septic system.
- 31.11 Remove provisions related to “Invisible Development.”

- 31.12.1 Require historic barns to be restored for banquet facilities or multifamily housing to be on the state or national registers of historic places. Remove DRB discretion to determine that other barns not on one of those lists are “historic.”
- 31.12.4 Clarify standards for review of restoration plans

**Chapter 32- Business Park Zoning District**

- 32.1.2.3 Clarify how accessory uses, especially restaurant and retail, are handled in BPZD and
- 32.1.2.4
- 32.7 Add second paragraph about building height incentive- same language as it has in 41, TCZD.

**Chapter 33- Gateway Zoning District North**

No Changes

**Chapter 34- Gateway South Zoning District**

- 34.A Correct table header.

**Chapter 35- Industrial Zoning District East**

- 35.1.2 Change reference to 2016 Town Plan.

**Chapter 36- Industrial Zoning District West**

- 36.3.1 Add language exempting manufacturing equipment on Avenues A,B,C, or D at least 300 feet from industrial Avenue and Williston Road from the normal 36-foot height limit for structures. Note FAA notice and permitting requirements.
- 36.A NAICS 8124 “Death Care Services” is an incorrect NAICS code. Replace with 8122
- 36.A “Construction” is incorrectly listed as NAICS 20, should be 23. Correct to 23.

**Chapter 37-Mixed Use Commercial Zoning District**

No Changes

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**Chapter 38- Mixed-Use Residential Zoning District**

- 38.A correct NAICS “eating places” code to 72221

**Chapter 39- Residential Zoning District**

No Changes

**Chapter 40- Gateway Zoning District West**

- 40.1.3 This section mentions retail as an allowed use when it is not allowed in the use table. Remove reference to retail here to bring into compliance with use table 40.A.

**Chapter 41- Taft Corners Zoning District**

- 41.1.2 Update reference to 2016-2024 Town Plan and quote current plan language in the “explainer” box below.
- 41.1.3.5 Cross-reference density bonus for affordable housing in TCZD as already adopted in WDB 19.

- 41.3.1.3 Add reference to Williston Road for 25-foot setback in TCZD.
- 41.5.3.9 Update reference to 2016-2024 Town Plan.
- 41.5.5 Update reference to height incentive language.

**Chapter 42- Village Zoning District**

- 42.1.2 Update references to 2016 Town plan policies 3.6 and 4.1
- 42.3.3.5 This section references the RZD. Change to VZD

**Chapter 43- Parks and Recreation Impact Fees**

- 43.5 Sections under 43.5 are numbered starting 43.6. Change sections to “43.6.x, etc.”

**Chapter 44- School Impact Fees**

No Changes

**Chapter 45- Transportation Impact Fees**

- 45.1.1 Update reference to 2016-2024 Town Plan

**Chapter 46- Definitions**

- 46.3.33 Update reference in “Country Parks” definition to 2016-2024 Comprehensive Plan
- 46.7.14 Update definition of “Town Plan” to refer to the 2016-2024 *Williston Comprehensive Plan*.

**Appendices**

- G- Home Business References larger home businesses in historic barns- add cross reference to WDB 31.12